

Congress of the United States
Washington, DC 20515

May 18, 2022

Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Blinken,

We are writing to register concern regarding the May 2022 and July 2021 visit to the United States of Khalid bin Salman al Saud, Saudi Arabia's defacto defense minister and close advisor to the Kingdom's defacto leader Mohammed bin Salman. According to public reports, Prince Khalid met with a range of senior U.S. government officials, seemingly undermining the Administration's February 2021 statements indicating that you would seek to recalibrate the U.S.-Saudi relationship by engaging your official counterparts. We seek to understand the rationale for Prince Khalid's multiple visits and whether the Department of State reviewed allegations regarding his alleged role in targeting Saudi dissidents, consistent with the Administration's Khashoggi Visa Ban.

Your new policy, which we welcomed and strongly support, calls for denying visas to "individuals who, acting on behalf of a foreign government, are believed to have been directly engaged in serious, extraterritorial counter-dissident activities...." Although the U.S. Intelligence Community's declassified February 2021 assessmentⁱ did not list Prince Khalid among those who "participated in, ordered, or were otherwise complicit in or responsible for" the murder, public reports allege that he personally assured Mr. Khashoggi by telephone that it would be safe to visit the Saudi consulate in Istanbul.ⁱⁱ In fact, a team of Saudi government assassins was waiting for Mr. Khashoggi. Prince Khalid also advanced the Kingdom's attempted cover-up of the killing, falsely stating for several days following Mr. Khashoggi's disappearance that Saudi authorities were not involved.

We are further concerned that Prince Khalid may have been involved in or had knowledge of other Saudi government efforts to harass, intimidate, or kill dissidents in the United States. Khalid al-Jabri, the former deputy to Saudi Arabia's former head of intelligence, fled Saudi Arabia in 2017 and has accused Crown Prince Mohammed bin Salman in a lawsuit filed in U.S. court of sending an assassination squad to kill him.ⁱⁱⁱ Documents filed in the lawsuit state that the Saudi government made attempts to locate Dr. al-Jabri in the U.S. with Saudi operatives during Khalid bin Salman's time as Ambassador. After determining he was in Canada, the Crown Prince allegedly sent a hit squad on or around October 15, 2018 to Toronto – a team from the same Saudi agency that killed Mr. Khashoggi only two weeks prior. While Dr. al-Jabri does not explicitly reference Mr. Salman in his lawsuit, his position as Ambassador to the U.S. during this manhunt calls into questions what involvement he may have had in the Saudi government's attempt to silence Dr. al-Jabri.

Additionally, then Ambassador Khalid bin Salman was posted to Washington while the Saudi government engaged in a documented campaign of intimidation, including surveilling, harassing, and threatening Saudi dissidents in the United States. Public reports indicate that the FBI visited at least four Saudi dissidents in the United States in the months following Mr. Khashoggi's assassination, warning them of a potential threat to their lives from the Saudi government.^{iv} Another public report suggests the CIA contacted one other Saudi dissident in the United States, as well as two other activists in Norway and Canada.^v Saudi citizens studying in the United States were also systematically harassed and threatened for

engaging in online and offline political activities. Students are often told that their state-funded scholarships will be terminated if they do not cease their political activities, and Saudi authorities allegedly threatened the safety of at least three Saudi students in the United States and attempted to lure them back through job offers.^{vi}

In light of these reports, we request that you provide unclassified answers to the following questions:

1. Does the Administration assess that Khalid bin Salman meets the criteria it established for visa restrictions under the Khashoggi Ban?
2. Was Khalid bin Salman included among the 76 Saudi individuals whom the State Department announced on February 26, 2021 had been subjected to visa restrictions pursuant to the Khashoggi Ban for their role in threatening dissidents overseas?
3. Since the February 2021 announcement of the Khashoggi Ban, has the Department lifted or made exceptions to the visa restrictions it imposed against any of the 76 restricted Saudi individuals?
4. Has the Department separately acted to restrict the entry of any of the 76 Saudi individuals under Section 7031(c) of the relevant appropriations act, as it said it would consider doing and publicizing whenever it imposed restrictions under the Khashoggi Ban? If not, why?

We understand that the Khashoggi Ban draws on discretionary authorities that the executive branch is not required as a matter of law to apply in any particular case. However, we believe the ban will be most effective if it is implemented in an objective and consistent manner, targeting the wide range of individuals responsible for transnational repression.

We look forward to receiving the answer to our inquires and working with you to help protect the rights of dissidents through the effective use of accountability tools that Congress provided. We appreciate your attention to this matter.

Sincerely,



Tom Malinowski
Member of Congress



Brian Fitzpatrick
Member of Congress

ⁱ Office of the Director of National Intelligence, “Assessing the Saudi Government’s Role in the Killing of Jamal Khashoggi,” February 11, 2021. <https://www.dni.gov/files/ODNI/documents/assessments/Assessment-Saudi-Gov-Role-in-JK-Death-20210226v2.pdf>

ⁱⁱ Harris, Shane, Miller, Greg, & Dawsey, Josh, “CIA concludes Saudi crown prince ordered Jamal Khashoggi’s assassination,” *Washington Post*, November 16, 2018. https://www.washingtonpost.com/world/national-security/cia-concludes-saudi-crown-prince-ordered-jamal-khashoggis-assassination/2018/11/16/98c89fe6-e9b2-11e8-a939-9469f1166f9d_story.html

ⁱⁱⁱ Dr. Saad Aljabri vs. Mohammad Bin Salman, *United States District Court for the District of Columbia*. <https://www.courthousenews.com/wp-content/uploads/2020/08/Aljabri-Complaint.pdf>

^{iv} Akkad, Dania, “EXCLUSIVE: Saudi dissidents in US warned by FBI after Khashoggi killing,” *Middle East Eye*, July 12, 2019. <https://www.middleeasteye.net/news/exclusive-saudi-dissidents-us-warned-fbi-after-khashoggi-killing>

^v Meyer, Josh, “The CIA Sent Warnings to at Least 3 Khashoggi Associates About New Threats From Saudi Arabia,” *The Time*, May 9, 2019. <https://time.com/5585281/cia-warned-jamal-khashoggi-associates/>

^{vi} Schiffrin, Nick & Quran, Layla, “These Saudi citizens in the U.S. criticized their government. Now they live in fear,” *PBS Newshour*, March 6, 2019. <https://www.pbs.org/newshour/show/these-saudi-citizens-in-the-u-s-criticized-their-government-now-they-live-in-fear>